

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
FRANCIS D. HELMER,**

Plaintiff,

**6:23-cv-322
(GLS/ATB)**

v.

CHRISTINA M. ROBERTS et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Francis D. Helmer
Pro Se
4399 Lee Center Taberg Road
Taberg, NY 13471

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Order and Report-Recommendation (R&R) by Magistrate Judge Andrew T. Baxter, duly filed March 28, 2023. (Dkt. No. 4.) Following fourteen (14) days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Order and Report-Recommendation (Dkt. No. 4) is

ADOPTED in its entirety; and it is further

ORDERED that plaintiff's complaint (Dkt. No. 1) is **DISMISSED**

WITHOUT PREJUDICE; and it is further

ORDERED that the Clerk is directed to close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to plaintiff in

accordance with the Local Rules of Practice.

IT IS SO ORDERED.

April 25, 2023
Albany, New York

Gary L. Sharpe
Gary L. Sharpe
U.S. District Judge